

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

DAYNA PERKINS,	:	Case No. 3:12-cv-153
	:	
Plaintiff,	:	Judge Timothy S. Black
	:	
vs.	:	
	:	
COMMISSIONER, SOCIAL	:	
SECURITY ADMINISTRATION,	:	
	:	
Defendant.	:	

**ORDER GRANTING PLAINTIFF'S MOTION FOR ATTORNEY FEES (Doc. 19)**

This case is a Social Security disability benefits appeal under which the Court determined that the ALJ's non-disability finding was not supported by substantial evidence and was reversed, awarding benefits in favor of Plaintiff. (Doc. 15). Seeking to be compensated for the legal expenses incurred in obtaining the benefits award, Plaintiff's counsel has filed a fee application (Doc. 19) pursuant to 42 U.S.C. Section 406(b)(1). The Commissioner did not oppose the motion.

Upon review, the Court finds that counsel's hourly rate and the time expended on this case are reasonable.

Therefore, the fee application (Doc. 19) is **GRANTED** and Plaintiff's counsel is **AWARDED** the sum of **\$13,325.00**. This award satisfies Plaintiff's claims for fees, expenses, and costs under 42 U.S.C. Section 406(b)(1).<sup>1</sup>

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<sup>1</sup> Plaintiff's counsel also filed a fee petition with the Commissioner for an attorney fee of \$15,265.00. (Doc. 19 at 2). The total fee requested between the District Court and the Commissioner is \$28,590.00, which is less than 25% of the total retroactive benefits paid to the

**IT IS SO ORDERED.**

Date: 9/15/2014

/s/Timothy S. Black  
Timothy S. Black  
United States District Judge

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Plaintiff and her dependent. Plaintiff's counsel received an EAJA fee of \$3,791.53 on February 21, 2014. Accordingly, upon receipt of payment in full, Plaintiff's counsel will refund the \$3,791.53 to the Plaintiff. (Doc. 19, Ex. D).